

**COMBINED DECLARATION AND POWER OF ATTORNEY
IN ORIGINAL APPLICATION**

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**VERTICAL NON-VOLATILE SEMICONDUCTOR MEMORY CELL AND METHOD
FOR MANUFACTURING THE MEMORY CELL**

described and claimed in the specification bearing that title, that I understand the content of the specification, that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve month prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application under 37 C.F.R. 1.56a, and that no application for patent or inventor's certificate of this invention has been filed earlier than the following in any country foreign to the United States prior to this application by me or my legal representatives or assigns:

German Application No. 100 41 749.3, filed August 27, 2000, the International Priority of which is claimed under 35 U.S.C. §119.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

HERBERT L. LERNER (Reg.No.20,435)
LAURENCE A. GREENBERG (Reg.No.29,308)
WERNER H. STEMER (Reg.No.34,956)
RALPH E. LOCHER (Reg.No. 41,947)

Address all correspondence and telephone calls to:

LERNER AND GREENBERG, P.A.
POST OFFICE BOX 2480
HOLLYWOOD, FLORIDA 33022-2480
TEL: (954) 925-1100
FAX: (954) 925-1101

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE INVENTOR: ACHIM GRATZ

INVENTOR'S SIGNATURE: _____

DATE: _____

Residence: STEINBACH-HALLENBERG/GERMANY

Country of Citizenship: GERMANY

Post Office Address: HAUPTSTRASSE 2
D-98587 STEINBACH-HALLENBERG
GERMANY